

Section 2 - Licensing of Dealers

A dealer shall not sell cultivated ginseng unless licensed by the department. A dealer's license shall not be issued for the collection or taking of wild ginseng for the purpose of sale or distribution.

1) Licensing of Dealers

Each dealer shall complete a **Growers and Dealers License Application** and return it to the NH Department of Agriculture Market and Foods, Plant Industry Division. Dealers shall pay an annual fee of \$25 for each license year beginning on July 1 and ending on the following June 30. A dealer's license is nontransferable. The requirements of this section shall not apply to individuals purchasing dried ginseng at a retail store in the state of New Hampshire for personal consumption.

2) Foreign Ginseng

- (a) No dealer shall purchase or receive foreign ginseng unless it is accompanied by a valid certificate issued by the state or country of origin.
- (b) The certificate required pursuant to (a) above shall include:
 - (1) Source of the cultivated ginseng;
 - (2) Year of harvest;
 - (3) Weight of cultivated ginseng; and
 - (4) Number of cultivated ginseng roots.
- (c) The dealer shall retain a copy of each certificate received.

3) Record of Sale

A dealer selling cultivated ginseng shall submit annually to the department a record of sale. The records shall be kept for a period of 5 years. Dealers shall keep records on the **Record of Harvest and Sales form**. Hard copies are available upon request.

A dealer shall not provide a purchaser with a record of sale for more ginseng than is actually sold or otherwise exchanged.

4) Prohibited Conduct by Dealer

A dealer shall not:

- (a) Buy or otherwise acquire uncertified ginseng;
- (b) Buy, acquire, or sell ginseng without creating and maintaining an accurate record of all of the following information:
 - (1) Seller's or purchaser's name and address;
 - (2) Grower's license number, dealer's license number, or collector's name and address and ginseng certificate number;
 - (3) Dry weight of ginseng;
 - (4) Year the ginseng was harvested or collected; and
 - (5) Date of the transaction; or
- (c) Sell or export cultivated ginseng harvested in New Hampshire without first obtaining a ginseng certificate.